

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

SHELDON GORDON, <i>et al.</i> ,	:	Case No. 1:05cv2726
	:	
Plaintiffs,	:	JUDGE KATHLEEN O'MALLEY
	:	
v.	:	
	:	<u>ORDER</u>
DAVID DADANTE, <i>et al.</i> ,	:	
	:	
Defendants.	:	

This matter arises on Defendant Pershing, LLC's ("Pershing") *Motion to Dismiss* (Doc. 77), in which Pershing seeks an order dismissing it as a defendant in this case without prejudice. In response, the investor Plaintiffs and the Receiver have filed notices (Docs. 79 and 83) indicating that they have no objection to Pershing being dismissed without prejudice.

Accordingly, Pershing's *Motion to Dismiss* (Doc. 77) is **GRANTED** and Pershing is **DISMISSED without prejudice**.

IT IS SO ORDERED.

s/Kathleen M. O'Malley
KATHLEEN McDONALD O'MALLEY
UNITED STATES DISTRICT JUDGE

Dated: May 3, 2006